

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JERRY LEE HAGLE,)	
)	Civil No. 09-885-MO
Petitioner,)	
)	
v.)	
)	
MARK NOOTH,)	JUDGMENT
)	
Respondent.)	

MOSMAN, District Judge.

Petitioner's Unopposed Motion to Voluntarily Dismiss Habeas Corpus Petition (#38) is GRANTED. Accordingly, IT IS ORDERED AND ADJUDGED that this Action is DISMISSED, without prejudice. The court declines to issue a Certificate of Appealability on the basis that petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). Pending motions, if any, are DENIED AS MOOT.

DATED this 2nd day of March, 2011.

/s/ Michael W. Mosman
Michael W. Mosman
United States District Judge